

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL
PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
14 REILLY ROAD
FRANKFORT, KY 40601

PERFORMANCE BOND FOR CORRECTIVE ACTION

Groundwater Corrective Action Plan Application Number: _____

Solid Waste Permit Number: _____

Permittee: _____

Permittee Address: _____

Type of Financial Assurance:

- ☐ Cash Bond
- ☐ Surety Bond (# _____)
- ☐ Certificate of Deposit (# _____)
- ☐ Letter of Credit (# _____)
- ☐ Trust Fund (# _____)
- ☐ Insurance Policy (# _____)
- ☐ Other (# _____)

KNOW ALL PERSONS BY THESE PRESENTS, that the undersigned, _____, as Principal, is held and firmly bound unto the Natural Resources and Environmental Protection Cabinet in the penal sum of _____ dollars (\$ _____), _____ which sum is herewith deposited with the Natural Resources and Environmental Protection Cabinet by the submission of the financial assurance mechanism(s) specified above. The Principal posts this/these financial assurance mechanism(s) by and through its agent as a guarantee that the provisions of the groundwater corrective action plan for permit number _____, all applicable laws, rules, and regulations will be observed and hereby bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is effective upon receipt by the Division of Waste Management (hereinafter Division).

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that, whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 224 and 401 KAR Chapters 47 and 48 did file with the Division, a groundwater corrective action plan pursuant to 401 KAR 48:300

to remediate groundwater contamination at the _____ located in

(fill in the name of facility)

_____ County in the Commonwealth of Kentucky. Furthermore, it is understood that the obligation under this groundwater corrective action bond extends to environmental degradation including groundwater contamination occurring off the permitted area but proximately resulting from the construction, operation or closure of the solid waste site or facility.

Now, if said _____, as Principal, shall faithfully perform all the requirements of the above designated groundwater corrective action plan, the permit issued pursuant thereto, and the applicable laws, rules, and regulations, and the terms of this bond, then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Natural Resources and Environmental Protection Cabinet, upon receipt of an Order of the Cabinet.

PRINCIPAL: _____ BY: _____
OFFICIAL POSITION: _____ DATE: _____

Subscribed and sworn to before me by _____
this the _____ day of _____, 19____.

Notary Public, State-at-Large

My commission expires the _____ day of _____, 19____.